



CITY OF BRUNSWICK

1 W. Potomac Street • Brunswick, Maryland 21716 • (301) 834-7500

Board Of Appeals Filing Procedures

1. Proper application must be made in the Planning & Zoning Office, City Hall. Application forms will be sent upon request. **NOTE: INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED FOR PROCESSING!**
2. If person filing the appeal is other than the owner, an affidavit or ownership authorizing said person to make the appeal must be filed. If person filing the appeal is contract purchaser, a copy of the contract must be filed. If person filing the appeal is a lessee, an affidavit of ownership and a copy of lease must be filed.
3. Names and addresses of **ALL** person owning property within 300' of **ALL** sides of the subject property **MUST** be supplied at the time of filing **BY THE APPLICANT** on proper form supplied by this office.
4. A fee of: SPECIAL EXCEPTION REQUEST - \$1100; VARIANCE REQUEST - \$725; CLAIM OF ADMINISTRATIVE ERROR - \$675. These fees are to cover the cost of the newspaper notice, the placard, notices to adjoining property owners and review expenses. If paid by check, it is to be made to City of Brunswick.
5. Placard announcing hearing date will be given to applicant within time prescribed in the Zoning Ordinance, supplied by the Planning & Zoning Office.
6. **MUST** have plat or accurate drawing of property, showing distance of structure from all property lines, 15 copies, folded to 8 ½" X 11" size. Most applicants prepare a Justification Statement addressing the general and specific Ordinance Requirements of the proposal, and then attach it to the application when it is submitted to the office.
7. Board of Appeals Members will make an on-site inspection of the property prior to the public hearing.
8. A newspaper notice will be published by this office 7 and 14 days prior to the hearing. Notices to the adjacent property owners within 300' of the property will also be sent out at this time.
9. Applicant or agent for the applicant **MUST** be present at the hearing to present case before the Board of Appeals.
10. Applicant will be formally notified in writing of the decision by the Board of Appeals. If case is approved, you may apply for a Zoning Certificate at this office.
11. If case is disapproved, the applicant has thirty (30) days to appeal this decision to the Circuit Court.

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Page 2 of 2

If you are pursuing a Variance, you should be prepared to discuss the following criteria excerpted from Article 24.3, c, City of Brunswick Zoning Ordinance, at the hearing:

The need justifying the variance is substantial and immediate and not merely for the convenience of the applicant or to increase the dollar value of a property. The applicant must prove that the strict application of the regulation creates a practical difficulty, or specifically that:

1. strict compliance with the regulation would prevent the use of the property for a permitted purpose or would render conformance unnecessarily burdensome;
2. a lesser variance than that applied for would not provide adequate relief; and
3. granting the variance would not contradict the purpose and intent of the Zoning Ordinance or compromise the public interest.

Please recall that the specific criteria for the different types of Special Exceptions that are outlined in Article 8 through 20 are to be met as well.

If you are pursuing a Special Exception, you should be prepared to discuss the criteria from Article 4 and 24.3, c, City of Brunswick Zoning Ordinance, at the hearing. Those specific discussion issues are:

1. The proposed use is in harmony with the purpose and intent of the Comprehensive Plan and the Articles listed above.
2. The nature and intensity of the operations involved in or conducted in connection with it and the size of the site in relation to it are such that the proposed use will be in harmony with the appropriate and orderly development of the neighborhood in which it is located.
3. Operations in connection with any Special Exception use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics, than would be the operations of any permitted use not requiring Special Exception approval.
4. Parking areas will comply with the off-street regulations of the Zoning Ordinance and will be screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.
5. The street system providing access to the proposed use is adequate to serve the site for the intended use.

If you are pursuing an Administrative Error, please consult staff for details. You are, of course, free to consult an attorney of your choice for advice on this and any of the above.